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DE RUEHJM #2273/01 3491624
ZNY CCCCC ZZH
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FM AMCONSUL JERUSALEM
TO RUEHC/SECSTATE WASHDC PRIORITY 7006
INFO RUEHKK/ARAB ISRAELI COLLECTIVE
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JERUSALEM 002273

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NEA FOR FRONT OFFICE AND IPA; NSC FOR SHAPIRO/KUMAR

E.O. 12958: DECL: 12/14/2019
TAGS: [PGOV](#) [PREL](#) [KPAL](#) [IS](#)
SUBJECT: MAYOR BARKAT ANNOUNCES JERUSALEM RE-ZONING
"INITIATIVE"

REF: A. JERUSALEM 2160
[1](#)B. JERUSALEM 1790

Classified By: Consul General Daniel Rubinstein for
reason 1.4 (d).

[1](#)1. (SBU) Summary: Members of the Knesset Law Committee met on December 13 with Jerusalem Mayor Nir Barkat to argue against the implementation of a High Court order for the evacuation and sealing of Beit Yehonatan, an illegally-constructed apartment building in the East Jerusalem neighborhood of Silwan occupied by religious-nationalist activists (Ref A). Barkat told committee members that he would pursue a re-zoning of Silwan that would legalize part of the current Beit Yehonatan building, as well as advance his plans (Ref B) for the redevelopment of the al-Bustan area. A municipality official confirmed that the Israeli Prime Minister's Office has requested prior notification of all East Jerusalem-area home demolitions. Anti-demolition activists said that Barkat's "plan" remained at the conceptual stage, and speculated that the timing of his announcement was driven by pressure to stand down on the Beit Yehonatan demolition order. End Summary.

KNESSET COMMITTEE DISCUSSES BEIT YEHOANATAN

[1](#)2. (SBU) The Jerusalem Post reported that on December 13, the Knesset Law Committee gathered to discuss the court-ordered evacuation and sealing of the "Beit Yehonatan" property in Jerusalem's Silwan neighborhood. Note: "Beit Yehonatan" is a seven-story apartment block named in honor of convicted spy Jonathan Pollard, and occupied by families associated with the religious-nationalist Ateret Cohanim organization. It was built without a municipal permit, in violation of legal height restrictions for Silwan (which limit construction in the neighborhood to two stories), and is subject to a municipal demolition order upheld by the Israeli High Court (Ref A). End Note.

[1](#)3. (SBU) According to press reports, Members of Knesset (MKs) Ze'ev Elkin (Likud), Yariv Levin (Likud), Zevulun Orlev (Habayit Hayehudi) and Uri Ariel (National Union) argued in the meeting that Jerusalem Legal Advisor Yossi Havilio (who was not present) had "singled out" Beit Yehonatan "for political reasons." The paper quoted MK Orlev as saying, "on the one hand there are more than 300 court orders for demolitions (against Arabs). On the other, there is Beit Yehonatan. The elected officials say the decision to seal Beit Yehonatan is stupid. The mayor says the same. But the legal advisor is unwilling to consider the mayor's alternatives."

DIRECT ROLE FOR NETANYAHU IN DEMOLITION DECISIONS

14. (C) Barkat aide Stephan Miller confirmed to Post the veracity of Israeli press reports that Israeli Prime Minister Netanyahu has requested prior notification of Jerusalem home demolitions. Press reports described this as a sign of Netanyahu's taking a more active role in the decision-making process for demolitions in Arab neighborhoods of East Jerusalem.

JERUSALEM MAYOR ANNOUNCES NEW PLANNING "INITIATIVE"

15. (C) Miller also confirmed press reports that Barkat proposed a change in zoning for Silwan, raising the legal height limit of buildings from two stories to four. Miller said this would be part of a "phased re-zoning program" that would serve as a supplement to, rather than a replacement for, Barkat's overall proposed "Jerusalem Master Plan." Miller said the "Master Plan" remains under active discussion between the municipality and the Ministry of Interior. Note: Press reports speculated that the zoning change would allow for the first four stories of Beit Yehonatan to be legalized, while the top floors would be sealed or demolished. End Note.

16. (SBU) Shortly after the December 13 Knesset committee meeting, Barkat's office released a press statement according to which the Mayor announced having "revealed a new policy... to deal with various areas with a high number of building offenses, such as Gan HaMelech and Silwan, which will serve as the pilot areas for the new policy." Note: "Gan HaMelech," which translates from Hebrew into English as "The King's Garden," is an alternate name used by some Israelis for the al-Bustan neighborhood in Silwan, south-east of

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Jerusalem's Old City. End Note.

17. (C) Barkat's press release went on to note that illegal construction that "may be legitimized from a planning aspect" could be retroactively authorized, but that the municipality would also "implement a firm punishment policy" toward new construction "offenses." The statement also called for implementing agencies to exercise discretion in the execution of demolition orders in areas that would undergo re-zoning, particularly if those changes could affect the basis on which the demolition order was initially issued.

NGO ACTIVISTS: BARKAT'S INITIATIVE AN IDEA,
NOT YET A FULLY-DEVELOPED PLAN

18. (C) Anti-demolition NGO contacts told Post that Barkat's announcement falls short of an actionable proposal. Ir Amim Associate Director Sarah Kreimer told Post, "there's no formal plan. It's not actually developed. Right now, this is just (Mayor Barkat's) idea of what he would like us to think that he's doing." She noted that the release itself made clear that nothing has been submitted to the local planning committee, which would be the first stage in any rezoning effort. Kreimer continued, "it's no accident that this press release came out right after Beit Yehonatan was discussed in the Knesset."

LAWYER FOR AL-BUSTAN RESIDENTS AWAITS AN ANSWER

19. (C) Lawyer Ziad Ka'war, who represents residents of al-Bustan subject to demolition orders, told Post that he had not been consulted by the municipality about the new plan. He also noted that he had not received a response from the municipality to a proposal that he put forward on behalf of al-Bustan residents on December 1, calling for a reduced number of demolitions and the relocation of those families whom the municipality displaced by demolitions.

RUBINSTEIN